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Attorneys for Defendants Rackable Systems, Inc.,
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE RACKABLE SYSTEMS, INC.)	Case No. C-09-0222-CW
SECURITIES LITIGATION)	
_____)	<u>CLASS ACTION</u>
)	
THIS DOCUMENT RELATES TO:)	STIPULATION AND ORDER
ALL ACTIONS.)	REGARDING SCHEDULING
)	MATTERS
_____)	

1 WHEREAS, on June 15, 2009, Lead Plaintiffs filed the Amended Complaint for
2 Violations of the Federal Securities Laws ("Amended Complaint");

3 WHEREAS, on August 4, 2009, the Court entered an order setting a briefing schedule for
4 Defendants' motion to dismiss the Amended Complaint;

5 WHEREAS, Defendants filed their Motion to Dismiss the Amended Complaint for
6 Violations of the Federal Securities Laws ("Motion to Dismiss") on August 13, 2009;

7 WHEREAS, Lead Plaintiffs filed their Opposition to Defendants' Motion to Dismiss on
8 September 14, 2009;

9 WHEREAS, pursuant to a stipulation by the parties, the Court entered an order setting the
10 deadline for Defendants' reply brief in support of the Motion to Dismiss to October 21, 2009 and
11 the setting hearing on Defendants' Motion to Dismiss for November 19, 2009 at 2 p.m.;

12 WHEREAS, pursuant to stipulation by the parties, the Court entered an order extending
13 the deadline for Defendants' reply brief to October 30, 2009;

14 WHEREAS, the parties have met and conferred regarding the briefing schedule for
15 Defendants' reply brief in support of the Motion to Dismiss;

16 WHEREAS, the parties have agreed to a further extension of the deadline for Defendants'
17 reply brief which does not require any change to the hearing on the Motion to Dismiss; and

18 NOW, THEREFORE, the undersigned parties hereby stipulate and agree, and respectfully
19 request that the Court enter an order, as follows:

20 1. Defendants shall file their reply brief at or before 3:00 P.M. Pacific Time on
21 November 2, 2009.

22 IT IS SO STIPULATED.

23
24 O'MELVENY & MYERS LLP

25
26 Dated: November 2, 2009

27 By: /s/ Meredith N. Landy

28 Attorneys for Defendants Rackable Systems,
Inc., Thomas K. Barton, Madhu Ranganathan

and Todd R. Ford

GLANCY BINKOW & GOLDBERG LLP

Dated: November 2, 2009

By: /s/
Lionel Z. Glancy
Michael Goldberg

Attorneys for Lead Plaintiffs

I, Meredith N. Landy, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Scheduling Matters. In compliance with General Order 45, X.B., I hereby attest that Lionel Z. Glancy has concurred in this filing.

By: /s/
Meredith N. Landy

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

11/2
DATED: , 2009



The Honorable Claudia Wilken
United States District Judge